

ENTERED

May 31, 2017

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JEROLD WILLIAMS,

Plaintiff,

v.

TEXAS DEPARTMENT OF CRIMINAL
JUSTICE CORRECTIONAL INSTITUTIONS
DIVISION, *et al.*,

Defendants.

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CIVIL ACTION NO. 3:11-CV-313

**ORDER DISMISSING THE REMAINING PLAINTIFFS' FEDERAL CLAIMS
AND REMANDING THE REMAINING PLAINTIFFS' STATE-LAW CLAIMS**

This long-running litigation consists of sixteen consolidated cases in which prisoners have alleged that prison officials impermissibly interfered with a religious service. The cases were originally assigned to Judge Hoyt and were reassigned to the undersigned judge while they were on appeal to the Fifth Circuit (Dkt. 178 and Dkt. 193). Still pending are claims brought under the federal Religious Land Use and Institutionalized Persons Act ("RLUIPA") and the Texas Religious Freedom Restoration Act ("TRFRA") by three plaintiffs: Julius Dawson;¹ Antonio Shelvin;² and Joseph Whitfield.³ The Texas Department of Criminal Justice—Correctional Institutions Division ("TDCJ") is the lone remaining defendant.

In an order entered on February 27, 2017 (Dkt. 203), the Court explained that it was

¹Case Number 3:11-CV-325.

²Case Number 3:11-CV-347.

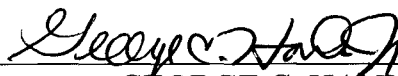
³Case Number 3:11-CV-329.

inclined to grant TDCJ's request for dismissal of the plaintiffs' RLUIPA claims. The Court construed TDCJ's request as a motion for summary judgment and gave the plaintiffs 30 days to respond. There has been no response. For the reasons given in the Court's order of February 27, 2017 (Dkt. 203), the Court hereby **ORDERS** as follows:

1. All claims brought by Plaintiff Julius Dawson; Plaintiff Antonio Shelvin; and Plaintiff Joseph Whitfield against Defendant Texas Department of Criminal Justice—Correctional Institutions Division under RLUIPA are **DISMISSED WITH PREJUDICE**.
2. All claims brought by Plaintiff Julius Dawson; Plaintiff Antonio Shelvin; and Plaintiff Joseph Whitfield against Defendant Texas Department of Criminal Justice—Correctional Institutions Division under TRFRA are **REMANDED** to the 412th District Court of Brazoria County, Texas. The relevant state-court case numbers are: 63640I (Julius Dawson); 63631I (Antonio Shelvin); and 63641I (Joseph Whitfield).
3. This consolidated docket is now **CLOSED**.

The Clerk is directed to provide a copy of this order to the parties. The Clerk is further directed to mail a certified copy of this order to the District Clerk of Brazoria County, Texas and the Clerk of the 412th District Court of Brazoria County, Texas.

SIGNED at Galveston, Texas on May 31, 2017.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE